DOCUMENT RESUME

ED 241 155 PS 014 195

TITLE	Summary of SB 813 and Related Legislation: Hughes-Hart Educational Reform Act of 1983.
INSTITUTION	California State Dept. of Education, Sacramento.
PUB DATE	83
NOTE	27p.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	*Discipline; *Educational Finance; Educational Improvement; Elementary Secondary Education; *School Activities; *School Personnel; *School Policy; Special Education; *State Legislation; Teacher Salaries
IDENTIFIERS	*California

ABSTRACT

In outline form, this document provides summary statements of provisions contained in California's legislation SB 813, otherwise known as the Hughes-Hart Educational Reform Act of 1983. While SB 813 addresses issues concerning school finance, the minimum school year, employees, course requirements, apprentices, and taxation, this summary deals with three areas of provision: finance, instructional programs and student discipline, and employee provisions. A total of 21 finance provisions, 14 instructional program and student discipline provisions, and 6 employee provisions, covering a wide range of programs and policies, are included in the document. (RH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
This document has been reproduced as received from the person or organization originating it.
X Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

ED241155

Summary of SB 813 and Related Legislation

HUGHES—HART
EDUCATIONAL REFORM ACT OF 1983

Prepared by the
CALIFORNIA STATE
DEPARTMENT OF EDUCATION

"PERMISSION TO REPRODUCE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY
Calif. State
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

PS 014195

California State Department of Education
Bill Honig, Superintendent of Public Instruction
721 Capitol Mall
Sacramento, CA 95814

TABLE OF CONTENTS

Finance Provisions

School District and County Office Revenue Limits..... 1
Funding for Small School Districts..... 3
Minimum Teacher Salaries..... 3
Incentives for Longer Instructional Day and Year..... 4
Agricultural Vocational Education Incentive Program..... 4
Small School District Transportation (Schoolbuses)..... 5
Special Allowance for Operation of Certain Year-round Schools.... 5
Court Mandates..... 5
Continuation Schools and Opportunity Classes..... 6
School Based Coordinated Program..... 6
Regional Occupational Centers and Programs..... 7
Special Education..... 8
Adult Education..... 9
Transportation..... 9
Urban Impact Aid..... 9
School Improvement.....10
Child Development.....11
Cost-of-Living Adjustments.....11
Economic Impact Aid.....12
Termination of Programs.....12
Commission on School Governance.....12

Instructional Program and Student Discipline Provisions

Education Improvement Incentive Program.....13
California Assessment Program.....13
Golden State Examination Program.....14
California Academic Partnership Program.....14
Counseling of Tenth Grade Pupils.....15
Classroom Teacher Instructional Improvement Program.....15
Pupil Promotion and Retention.....15
Teacher Trainees.....16
California Mentor Teacher Program.....17
Specialized Secondary Programs.....17
Graduation and Curriculum Requirements.....18
Student Discipline.....19
Staff Development.....20
School Improvement.....20

Employee Provisions

Certificated Employees.....21
Innovative Local Experiments to Strengthen Personnel and Management.....22
Teacher Competency Evaluations.....23
Pilot Project for Administrative Personnel.....23
Administrator Training and Evaluation.....24
Senior Management.....24

FINANCE PROVISIONS

School District and County Office Revenue Limits

References: Section 2557 of the Education Code
See Section 4.5 of Chapter 498/83
Section 2558 of the Education Code
See Section 5 of Chapter 323/83
Section 42238, et. seq. of the Education Code
See Sections 19.3 through 21.3 of Chapter 498/83
Items 6100-101-001 and 6100-106-001, Budget Act of 1983
See Chapter 324/83
Section 100.5 of the Revenue and Taxation Code
See Section 73, Chapter 323/83
Section 100.55 of the Revenue and Taxation Code
See Section 134 of Chapter 498/83
Section 41 of Chapter 10/1983-84 First Extraordinary Session
See Section 148.3 of Chapter 323/83
Section 151.1 of Chapter 323/83
Sections 35160.5, 46142, 46144, 46145, and 46202 of the Education Code
See Sections 18, 75, 76, 77, 78, and 80 of Chapter 498/83

o School district base revenue limits increased by the benefit received in 1982-83 from (1) $11.90 per ADA provided by Chapter 327/82 and (2) the operation of the minimum revenue guarantee. These adjustments do not apply to county offices, ROC/Ps and adult programs.

o Prior to the inflation calculation, all district revenue limits are increased to $50 below the 1982-83 applicable statewide average revenue limit.

o All districts of the same type receive the same inflation adjustment in 1983-84: $137/ADA in elementary districts, $168/ADA in high school districts, and $149/ADA in unified districts, provided that the base revenue limit increase per ADA cannot exceed 115 percent of 1982-83 adjusted base revenue limit.

o The minimum revenue guarantee is continued for one more year in 1983-84.

o County office revenue limits are increased by 8 percent.

o Declining enrollment adjustment is repealed. Districts will claim the greater of current year or prior year ADA. In 1983-84 only, districts may additionally claim 25 percent of any decline in ADA between 1981-82 and 1982-83, as specified.

o The full value of savings realized from the PERS rate reduction specified in Chapter 330/82 will continue to be "recaptured," even though PERS has increased employer contribution rates effective July 1, 1983.

School District and County Office Revenue Limits (continued)

o School apportionments will not be affected by operation of the "deflator" provision of state law in 1983-84 or thereafter.

o 1982-83 apportionments will be adjusted to reflect repeal of "double reduction" associated with PERS employer contributions on behalf of employees funded through court mandate reimbursements and other reimbursable programs.

o To receive any revenue limit increase in 1983-84, districts must provide no less instructional time than was provided in 1982-83.

o On or before December 1, 1984, district governing boards must establish policies regarding (1) qualifications of teacher evaluators, (2) assignment, training, assistance, and evaluation of new teachers, (3) resolution of parent complaints. Failure to adopt such policies will result in complete loss of state aid.

o In junior and senior high schools, the minimum school day may not be less than 180 minutes and the average number of minutes for any two consecutive school days may not be less than 240 minutes. This requirement is not applicable if contrary to a pre-existing collective bargaining agreement.

o A 180-minute minimum school day shall be allowed for pupils in work experience programs only if the work experience program provides one hour per week of classroom instruction or counseling.

o Pupils attending grade 12 must take at least five courses/semester unless enrolled in ROC/P, community college, special education, independent study, work experience, or other equivalent alternative study as determined by district. In last semester, pupils attending grade 12 and work experience may attend school less than 180 minutes/day with parent authorization, but district receives only pro rata share of ADA credit.

o Commencing in 1984-85, funding for summer school programs is converted to a per-hour reimbursement based on 1983-84. All growth in summer school funded at $1.50 per hour of attendance. Fundable areas expanded to include mathematics, science and other core academic areas designated by Superintendent of Public Instruction.

Funding for Small School Districts

References: Section 42280, et seq. of the Education Code
See Sections 21.4 and 21.5 of Chapter 498/83

o Chapter 498/83 reinstates the necessary small school funding formula effective prior to the enactment of Proposition 13 June 1978). Commencing in 1983-84, districts meeting specified criteria (the same as the former small school district formula)can choose funding based on a small school allowance in lieu of the revenue limit.

o The criteria established for participation in this program are very detailed and specific. Careful study of those criteria is encouraged.

o The Department of Education is developing guidelines for schools desiring approval as "necessary small schools."

Minimum Teacher Salaries

References: Section 45023.4 of the Education Code
See Section 69 of Chapter 498/83

o In each of three fiscal years -- 1983-84, 1984-85 and 1985-86 -- state funding is available for the additional cost of increasing by 10 percent annually the lowest salary on the schedule applicable to certificated teachers (up to a maximum salary of $18,000 in 1983-84; the $18,000 cap is adjusted in 1984-85 and 1985-86 by the average percentage increase provided for revenue limits of unified school districts). Moreover, if the 10 percent annual increase causes the lowest salary to rise above other salaries on that schedule, those other salaries may be increased to the same dollar level as that to which the lowest salary has risen.

o As a condition for the receipt of state funds, districts must certify that the increases specified above did not necessitate increases in the salaries of other, higher-paid teachers.

o The first year costs of each annual increase are reimbursed in the year made. Permanent revenue limit adjustments are allowed in 1984-85, 1985-86 and 1986-87 to maintain state funding for the salary increase made in prior fiscal years.

Incentives for Longer Instructional Day and Year

References: Sections 42238.7, 42238.8 and 46200, et seq. of the Education Code
See Sections 20.2, 20.3 and 80 of Chapter 498/83

o In 1984-85, districts operating school for at least 180 days are entitled to an additional $35/ADA, exclusive of adult ADA and summer school ADA.

o Districts must maintain 180-day instructional year in 1985-86 and thereafter in order to retain $35/ADA bonus.

o Based upon the number of instructional minutes offered in 1982-83, districts will receive a bonus of $20/ADA in grades K-8 and $40/ADA in grades 9-12 for each of three years to increase the number of instructional minutes one-third of the distance per year toward the following goals:

- 36,000 annual minutes in kindergarten
- 50,000 annual minutes in grades 1 to 3, inclusive
- 54,400 annual minutes in grades 4 to 8, inclusive
- 64,800 annual minutes in grades 9 to 12, inclusive

o Districts must (1) begin increases in 1984-85 to be eligible for bonuses and (2) maintain instructional minute increases beyond three-year phase-in period (1984-85 through 1986-87) to retain bonuses.

Agricultural Vocational Education Incentive Program

References: Section 52460, et seq. of the Education Code
See Section 103 of Chapter 498/83
Section 41301.3(a)(12) of the Education Code
See Section 18.5 of Chapter 498/83

o In 1983-84, districts operating agricultural vocational education programs may apply for state matching funds for the purchase of "agricultural vocational education equipment," including any nonsalary item of expenditure.

o The 50 percent matching requirement may be waived by the Superintendent of Public Instruction if it would create a financial hardship for a given district.

Small School District Transportation (Schoolbuses)

References: Section 42290, et seq. of the Education Code
See Section 23 of Chapter 498/83

o Districts receiving necessary small school funding are also eligible to receive allowances for reconditioning or replacement of schoolbuses.

o The need for reconditioning and replacement of schoolbuses must be certified by the California Highway Patrol.

o Allocation priorities for available funds are (1) purchase of replacement buses for those declared incapable of being reconditioned, (2) reconditioning of buses where necessary, and (3) purchase of new buses to expand fleets.

Special Allowance for Operation of Certain Year-round Schools

References: Sections 17717.7 and 42250 of the Education Code
See Sections 10 and 22 of Chapter 498/83

o Commencing in 1984-85, districts are provided a special allowance of $25/pupil served in year-round schools the operation of which is necessitated by overcrowding.

o Districts must be eligible for funding of new construction as determined by the State Allocation Board in order to obtain special allowance.

Court Mandates

References: Items 6100-114-001 and 6100-115-001, Budget Act of 1983
See Chapter 324/83
Section 41 of Chapter 10/1983-84 First Extraordinary Session
See Section 148.3 of Chapter 323/83
Section 151.1 of Chapter 323/83

o Pursuant to Governor's Item Reduction, no funding is provided for voluntary desegregation programs in 1983-84.

o Pursuant to Governor's Item Reduction, funding for reimbursements for court mandated desegregation programs was reduced to 1982-83 level.

o 1982-83 apportionments and allocations will be adjusted to eliminate "double reduction" for PERS employer contribution rate decreases as applied to employees funded through court mandate reimbursements and other reimbursable programs.

Continuation Schools and Opportunity Classes

References: Sections 48438, 48440, 48443, and 48643, et seq. of the Education Code
See Sections 86 to 89, inclusive, of Chapter 498/83

o Requires annual report by districts on continuation education program, including pupil service, cost effectiveness, attendance patterns, dropout rates, graduation capabilities, and involvement with occupational training. Reports must be filed by August 1 of each year; Superintendent of Public Instruction shall summarize and evaluate annual reports from districts by December 1 of every other year.

o Legislative intent expressed that continuation school funding to be used exclusively for support of continuation school pupils.

o Annual report of income and expenditure of continuation schools required.

o Commencing 1984-85, additional funding of up to $400/pupil authorized for new opportunity classes established. Additional funding subject to district meeting specified criteria.

o Legislative intent expressed regarding purposes of continuation education schools and classes.

School Based Coordinated Program

References: Sections 52853 and 52858 of the Education Code
See Sections 106 and 107 of Chapter 498/83

o Subject to approval by the federal government, reduces from 75 percent to 67 percent the percentage of educationally disadvantaged pupils in a school which triggers specific allocation maintenance provisions. For purposes of this program, districts may include staff salaries and benefits.

Regional Occupational Centers and Programs

References: Item 6100-101-001, Budget Act of 1983
See Chapter 324/83
Sections 52303.5, 52304.1, and 52333 of the Education Code
See Sections 100, 101 and 102 of Chapter 328/83

o ROC/P apportionments are increased by 6 percent over 1982-83.

o Pursuant to a Governor's Item Reduction, funding was eliminated for ROC/P ADA in grades 9 and 10.

o At least 70 percent of all growth in ADA between 1982-83 and 1983-84 must be dedicated to youth between ages 16 and 18, inclusive. Upon certification that it is unable to meet this requirement, an ROC/P may be exempted by the Superintendent of Public Instruction.

o Funded growth ADA (equal to approximately 10 percent over 1982-83) are distributed on a pro rata basis.

o A special set aside of $200,000 is provided to fund growth ADA in ROC/Ps which have annexed new service territory.

o ROC/Ps must assign highest priority to youth between ages of 16 to 18, inclusive.

o Districts participating in ROC/Ps must hold public hearings to review and to adopt a plan regarding participation of pupils in grades 11 and 12 in ROC/P.

Special Education

References: Sections 56723, 56782, and 56774.5 of the Education Code
See Sections 110.3, 110.5 and 111 of Chapter 498/83
Item 6100-161-001, Budget Act of 1983
See Chapter 324/83
Section 74 of Chapter 1201/82
See Section 151.6 of Chapter 323/83

o The state appropriation for special education allocations is increased by 8 percent over 1982-83.

o $23.5 million is allocated to eliminate 1982-83 program deficit. No funds are allocated for the 1982-83 transportation deficit because of Governor's Item Reduction which leaves the 1982-83 funding limit of $80.2 million.

o Pursuant to Governor's Item Reduction, no growth in instructional personnel service units (IPS) is permitted or funded in 1983-84. However, special education local plan areas (SELPAs) may increase IPS units to accommodate pupils served during the preceding year in nonpublic schools or to accommodate transfers of programs from other SELPAs.

o Pursuant to Governor's Item Reduction, the federal match for vocational education programs for special education pupils will continue to be funded within (rather than in addition to) local entitlements.

o For purposes of determining district entitlements, the total revenue limit (instead of the base revenue limit) generated by special day class ADA will be deducted.

Adult Education

References: Section 52616 of the Education Code
See Sections 104 and 105 of Chapter 498/83
Item 6100-156-001, Budget Act of 1983
See Chapter 324/83

o Adult revenue limits per ADA are increased by $70 with no equalization "squeeze."

o Pursuant to Governor's Item Reduction, funding for support of home economics and health and safety courses was eliminated in 1983-84.

o Growth in ADA of 2-1/2 percent is funded.

Transportation

References: Section 41850, et seq. of the Education Code
See Sections 18.7 and 18.9 of Chapter 498/83
Section 56774.5 of the Education Code
See Section 111 of Chapter 498/83
Items 6100-111-001 and 6100-161-001, Budget Act of 1983
See Chapter 324/83
Section 42241.4 of the Education Code
See Section 21.3 of Chapter 498/83

o In 1983-84, home-to-school transportation allocations are increased by 6 percent and special education transportation funding is increased by 8 percent over 1982-83. Special education transportation is capped at $86,681,000 in 1983-84.

o Revenue limit adjustments reflecting the encroachment of the home-to-school transportation program will continue to be acceptable only until July 1, 1984.

o Commencing 1984-85, the home-to-school and special education transportation programs are merged. Funding will be based on prior year approved costs.

Urban Impact Aid

References: Section 54060 of the Education Code
See Section 109 of Chapter 498/83

o Authorizes high school districts and their feeder elementary school districts, in addition to unified school districts, to receive urban impact aid.

School Improvement

References: Sections 52048 and 52049 of the Education Code
See Sections 98 and 99 of Chapter 498/83

o Effective 1984-85, declares legislative intent to equalize SI funding in elementary grades towards the goal of making $100 per pupil in grades K-6 available in all schools.

o Provides that $100 per pupil goal to be increased in 1985-86 and annually thereafter by percentage increase in unified district base revenue limit.

o Gives first priority for 1984-85 and later year cost-of-living adjustment to districts with less than 80% of $100 per pupil in grades K-6.

o Provides for allocation, by application, of remaining COLA funding, and any new funding, to bring all districts to 80% of $100 per K-6 pupil. (Effective 1984-85)

o Allows districts to allocate SI funding to any school in district for use in grades K-6, provided that no currently funded school's funding is reduced below 80% of $100 per K-6 pupil. Newly funded schools must operate programs in full conformance with SI law. (Effective 1984-85)

o Allows State Superintendent to waive one year planning requirement of SI funding provisions. (Does not waive requirement to have a school site plan.) (Effective 1984-85)

o Provides that funds received for grades K-6 may be used in grades K-8 and funds apportioned for grades 7-8 shall be considered grade K-6 funding for above calculations. (Effective 1984-85)

Child Development

References: Section 8263 of the Education Code
See Section 5.5 of Chapter 323/83

o Includes AFDC and SSI/SSP grant income in determination of family fees owed for subsidized child care.

Cost-Of-Living Adjustments

References: Item 6100-226-001, Budget Act of 1983
See Chapter 324/83
Section 34301.3(a)(2) of the Education Code
See Section 18.5 of Chapter 498/83
Section 76006 of the Education Code
See Section 27 of Chapter 498/83

o The following programs receive an 8 percent cost-of-living adjustment:

- District Revenue Limits
- County Office Allocations
- Special Education

o Categorical programs generally receive a 6 percent cost-of-living adjustment, subject to overall expenditure limitations which may reduce the cost-of-living adjustment slightly, except the following:

- Instructional Materials

[A massive increase of $35,900,000 was provided for instructional materials on top of the $40,678,000 in its 1982-83 base. As a result, in 1983-84, districts will receive $21.18/ADA in grades K-8 and $14.41/enrollment in grades 9-12. The funding for grades 9-12 must supplement and not supplant local funding.]

- Apprenticeship Programs

[In lieu of a cost-of-living adjustment, the instructional hour in apprenticeship programs was reduced from 60 minutes to 50 minutes. Other changes prohibit fees in apprenticeship programs, except as specified.]

Economic Impact Aid

References: Section 54029 of the Education Code
See Section 108 of Chapter 498/83

o Requires per-pupil maintenance of effort in allocation of funds in secondary school , subject to waiver by the State Board of Education.

Termination of Programs

References: Section 62000 of the Education Code
See Sections 124 and 232 of Chapter 498/83
Section 62000.5 of the Education Code
See Section 23.6 of Chapter 323/83

o Eliminates termination dates for driver training, environmental education, career guidance centers, and transportation, and expresses legislative intent that programmatic provisions remain operative.

o Defers until June 30, 1986, the termination date for adult education.

o Revises guidelines for legislative review of programs scheduled or termination.

Commission on School Governance

References: Section 33600, et seq. of the Education Code
See Section 17 of Chapter 498/83

o Establishes state commission to study and make recommendations on (1) consolidation of county offices, special regional planning units, ROC/Ps, and the State Department of Education; (2) size and scope of authority of schools and school districts necessary to improve educational management and facilitate participation of parents; (3) elimination of duplication of activities among state and various local agencies; (4) delegation of functions among local governmental agencies; (5) growth of nonteaching personnel; and (6) the appropriate taxing authority for schools.

Education Improvement Incentive Program

References: Section 54650, et seq. of the Education Code
See Section 110 of Chapter 498/83
Section 41301.3(c)(21) of the Education Code
See Section 18.5 of Chapter 498/83

o Commencing in 1984-85, districts are eligible to receive incentive awards for increases in the composite score of 12th grade students on the California Assessment Program.

o Incentive awards shall not be more than $400/pupil.

o Awards are based on the percentage contribution of each district to the overall statewide increase in CAP scores over the preceding year.

o In 1983-84, a pilot project involving a stratified sample of high schools will be conducted.

California Assessment Program

References: Sections 60602, 60603, 60603.5, 60604.5, and 60604.7 of the Education Code
See Sections 118 to 122, inclusive, of Chapter 498/83

o Includes grades 8 and 10 in CAP.

o Provides funding for completion of development of grade 8 examination and for its implementation in 1983-84.

o Specifies that funding for development and implementation of grade 10 examination subject to appropriation in future budget acts.

Golden State Examination Program

References: Section 60700, et seq. of the Education Code
See Section 123 of Chapter 498/83

o Provides for the development of examinations to measure pupil achievement in public high schools.

o Examinations to include (1) English literature and composition, (2) mathematics, (3) laboratory sciences, (4) foreign languages, (5) US history, (6) health sciences, and (7) other areas designated by the Superintendent of Public Instruction.

o Qualifying scores entitle participants to honors designation and insignia on high school diploma. Districts participate at their option and no pupil is required to take the examinations.

o Examinations to be prepared by March 15, 1985.

California Academic Partnership Program

References: Section 11000, et seq. of the Education Code
See Section 8 of Chapter 498/83

o Commencing in 1984-85, allows districts or consortia of districts to submit applications to the California State University for project grants (1) providing counseling services to students in grades 7 to 12, inclusive, and their parents; (2) providing tutorial services; (3) promoting participation of campus faculty to improve academic quality of secondary schools; (4) providing for peer counselors; (5) providing inservice training for secondary school staff; (6) promoting involvement of campus teacher education programs in efforts to improve academic quality of secondary schools; and (7) helping school districts upgrade school curriculum.

o The Trustees of CSU are to adopt rules and regulations regarding the program and an advisory committee is established.

Counseling of Tenth Grade Pupils

References: Sections 48431.6 and 48431.7 of the Education Code
See Sections 84 and 85 of Chapter 498/83

o In 1983-84 and 1984-85, districts may establish comprehensive program of counseling for pupils reaching the age of 16 or prior to the end of the 10th grade, whichever occurs first.

o Counseling program must review pupil's academic progress and educational options.

o Districts are eligible to receive $20/10th grade pupil (based on prior year enrollment) for counseling services provided in 1983-84 and in 1984-85 for services which supplement, but do not supplant, existing services.

Classroom Teacher Instructional Improvement Program

References: Section 44700, et seq. of the Education Code
See Section 43 of Chapter 498/83

o Commencing in 1984-85, teachers (or groups of teachers) are eligible to receive grants of up to $2,000/year based upon selection by local committee.

o Grants are for the purpose of improving instructional quality.

o Districts may be reimbursed for grants awarded up to 5 percent of the teachers in the district.

Pupil Promotion and Retention

References: Section 48070 et seq. of the Education Code
See Section 81 of Chapter 498/83

o Requires adoption of local policies on promotion and retention.

Teacher Trainees

References: Section 44325, et seq. of the Education Code
See Section 25.5 of Chapter 498/83
Section 44830.3 of the Education Code
See Section 45 of Chapter 498/83

o Permits individuals with baccalaureate degree, who pass basic skills proficiency test and appropriate subject matter examinations, to obtain teacher trainee certificates.

o Certificated teacher trainees may provide classroom instruction in the subject area of their undergraduate academic major or minor in grades 9 to 12, inclusive, or in grades 7 or 8 in a departmentalized junior high school.

o Certificated teacher trainees must be supervised and assisted by mentor teachers.

o Upon successful completion of two years of service as a teacher trainee, and with a favorable recommendation from the school district governing board, a teacher trainee is awarded a clear teaching credential.

o Districts employing teacher trainees must develop and implement a professional development plan for each trainee, in consultation with teacher training institution. That plan shall include (1) annual evaluations; (2) a plan for completion of, if deemed necessary by the local governing board, preservice or other clinical training; (3) other criteria deemed necessary by the local governing board.

California Mentor Teacher Program

References: Section 44490, et seq. of the Education Code
See Sections 26 and 28 of Chapter 498/83

o Commencing in 1983-84, provides for selection and designation of mentor teachers through local selection process involving teachers, administrators, parents, pupils and other public representatives, with final selection being made by local governing board. Mentors must be (1) credentialed classroom teachers with permanent status, (2) have substantial recent experience in the classroom, and (3) have demonstrated exemplary teaching ability.

o Up to 5 percent of certificated classroom teachers in a district may be selected as mentors.

o Mentors receive a stipend of $4,000 which is not counted as salary for purposes of calculating employer contributions to STRS.

o Districts may also receive reimbursement for necessary administrative costs at the discretion of the Superintendent of Public Instruction.

o Mentor teachers must spend an average of 60 percent of time in direct instruction of pupils.

o Regulations governing this program are to be developed by November 15, 1983, and adopted by State Board of Education by January 1, 1984.

Specialized Secondary Programs

References: Section 58800, et seq. of the Education Code
See Section 112 of Chapter 498/83

o Commencing in 1984-85, districts or consortia of districts may apply for grant funding of schools with specialized curricula in high technology, performing arts, or other special curricular areas for pupils in grades 9 to 12, inclusive.

o The Superintendent of Public Instruction is authorized to allocate funds for start-up costs of these specialized secondary school programs.

o Specialized Secondary Programs may utilize noncredentialed persons who possess unique talents or skills, provided those persons receive a certificate of clearance from the Commission on Teacher Credentialing verifying their personal identification and good moral character.

Graduation and Curriculum Requirements

References: Sections 51225, 51225.3 and 51225.4 of the Education Code
See Sections 93, 94 and 95 of Chapter 498/83
Section 226 of Chapter 498/84

o Repeals, effective July 1, 1986, existing graduation requirements.

o Establishes, effective in the 1986-87 school year new requirements for receipt of a high school diploma. Such requirements include:

- 3 one-year courses in English.
- 2 one-year courses in mathematics.
- 2 one-year courses in science (including biology and physical sciences).
- 3 one-year courses in social studies (including US history and geography; world history, culture, and geography; and American government, civics, and economics).
- 1 one-year course in fine arts or foreign language.
- 2 one-year courses in physical education (unless otherwise exempted by law).
- Other requirements as established by district.

o Districts must certify as to adequacy of curricula to meet requirements of the law.

o Superintendent of Public Instruction to develop model curriculum standards against which local districts must periodically compare their curricula.

o Superintendent of Public Instruction to recommend and State Board to adopt model curriculum of study in computer education by July 1, 1984.

o Districts required to offer all pupils courses of study (1) fulfilling requirements for university admission and (2) providing entry level employment skills in business or industry. Adoption of state model standards is deemed compliance with this requirement.

Student Discipline

References: Sections 48260.5 and 48900, et seq. of the Education Code
See Section 82 and 90 to 92, inclusive, of Chapter 498/83

o Upon classification as a truant, requires notification of pupil's parent or guardian by first-class mail or other reasonable means.

o Require principal to recommend expulsion of pupils for (1) causing serious physical injury to another person, except in self-defense; (2) possession of any firearm, knife, explosive, or other dangerous object of no reasonable use to the pupil at school or at a school activity off school grounds; (3) unlawful sale of any controlled substance, as defined in Section 11007 of the Health and Safety Code, except for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; robbery or extortion.

o Prohibits students suspended from one class from being placed in another regular class.

o Allows teachers to require make-up work by suspended pupils.

o Permits use of written testimony at expulsion hearings when witnesses are at risk of harm.

o Allows districts to adopt regulations authorizing teachers to assign failing grades to pupils with excessive unexcused absences.

Staff Development

References: Section 44680, et seq. of the Education Code
See Sections 32 and 33 of Chapter 498/83
Item 6100-191-001, Budget Act of 1983
See Chapter 324/83

o Repeals former School Resource Centers provisions.

o Institutes Local Staff Development and Teacher Education and Computer Centers provisions.

o Provides for establishment of 15 TEC centers to provide staff development activities in mathematics, science, technology and other curriculum areas for which there are significant shortages of qualified, certificated teachers.

o Specifies functions of centers and provides for their governance.

o Staff development programs receive a 5 percent inflation increase in 1983-84, except that, pursuant to a Governor's Item Reduction, funding for School Personnel Staff Development was reduced by $2,534,000 and funding for Exemplary Programs was eliminated altogether. As a consequence of the latter item reduction, funding for the Institute for Computer Technology was eliminated.

School Improvement

References: Sections 52048 and 52049 of the Education Code
See Sections 98-99 of Chapter 498/83

o Effective 1984-85, provides for equalization of SIP funding in grades K-6. See Finance Provisions for details.

o Effective 1984-85, allows Superintendent of Public Instruction to waive one year pre-planning requirement for receipt of SI funding. Does not provide for waiver of requirement to have SI school site plan.

EMPLOYEE PROVISIONS

Certificated Employees

References: Sections 35031, 44251, 44255, 44277, 44278, 44279, 44882, 44884, 44885.5, 44901, 44932, 44933, 44934, 44935, 44936, 44937, 44938, 44943, 44944, 44948, 44948.3, 44948.5, 44949, 44955, 44955.5, and 44956 of the Education Code

See Sections 17.5, 25 to 25.4, inclusive, and 46 to 68, inclusive, of Chapter 498/83

o School districts may dismiss new probationary employees during the first two years of employment for unsatisfactory performance according to district-determined criteria.

o Requirement for prior semester notice before dismissal of teachers charged with unprofessional conduct or incompetency is eliminated.

o Notice period for dismissal of teachers charged with unprofessional conduct is reduced from 90 days to 45 days.

o Except for taking of oral depositions, the period for "discovery" is limited to the 30 calendar days following receipt of a copy of the accusation by the employee.

o Local governing boards are authorized to suspend permanent employees or probationary employees without pay, subject to the same due process proceedings as apply in dismissals.

o Non-substantive procedural errors are specifically excluded as grounds for reversal of decision in dismissals or layoffs.

o Exceptions to seniority rule allowed in layoffs, reassignments and rehirings based upon special training and experience of teachers.

o For districts receiving less than a 2 percent/ADA increase in total revenue in a given fiscal year (1) layoffs of certificated personnel are permitted for lack of funds and (2) the notice period for layoff of certificated personnel is 5 days following enactment of state budget act through August 15.

o Permits districts to lay off personnel under specified circumstances when changes in state law modify curriculum.

o Notice period for dismissal of specified administrators reduced to 45 days.

Certificated Employees (continued)

o Requires competency testing of personnel assigned or reassigned to subject areas in which they do not hold a credential or did not major in college.

o Except for first 3 years, prohibits administrators from continuing to accumulate seniority as teachers.

o Limits to 20 school days in each 60 school days the number "laid off" teachers may be utilized as substitutes and paid at substitute rate. If employed in excess of 20 school days in that period, such teachers must be paid (retroactive to the first day of employment as a substitute) pro rata amount based on previous regular salary.

o Maintenance of a clear teaching credential issued after September 1, 1985, requires a minimum of 150 clock hours of broadly-defined "continuing education" within each 5-year period.

Innovative Local Experiments to Strengthen Personnel and Management

References: Section 44750, et seq. of the Education Code
See Section 44 of Chapter 498/83

o Allows Superintendent of Public Instruction to approve a maximum of five pilot projects in any fiscal year to (1) improve efficiency of district operations, (2) provide improved services, (3) improve on-the-job training for new personnel, and (4) improve usefulness, effectiveness and importance of evaluations.

o The decision to apply to operate a pilot project is not within the scope of collective bargaining, but such application is not acceptable without the express written consent of any bargaining unit affected.

o Districts approved for participation in a pilot project, following a public hearing, may request the State Board of Education to waive all or part of Chapter 4 (commencing with Section 44800) of Part 25 of the Education Code. That chapter concerns some of the rights, duties, employment, resignation, dismissal, leave of absence, and salaries of certificated employees.

o Authorization for the pilot projects terminated July 1, 1985.

Teacher Competency Evaluations

References: Sections 44662, 44663, and 44664 of the Education Code
See Sections 29, 30 and 31 of Chapter 498/83

o Certificated employees are to be evaluated and assessed in relation to (1) pupil progress toward district established standards of expected achievement, (2) instructional techniques and strategies used, (3) adherence to curricular objectives, and (4) establishment and maintenance of suitable learning environment.

o Written evaluations shall be transmitted to certificated employees not later than 30 days before the last school day. Certificated employee has right to respond in writing and to meet with evaluator for discussion prior to the last school day.

o Evaluations shall be biennial unless unsatisfactory. Following unsatisfactory evaluation, evaluations shall be annual until employee achieves positive evaluation or is separated from district. Employees receiving unsatisfactory evaluations may be required to participate in a program designed to improve performance.

Pilot Project for Administrative Personnel

References: Section 44689.5 of the Education Code
See Section 42 of Chapter 498/83

o Allows county offices or consortia of school districts to apply to the State Board for establishment of a pilot project to assist in recruitment and selection of administrative personnel.

o Pilot projects are authorized to

- Gather information on techniques for selecting and evaluating management personnel.
- Be a clearinghouse for administrative personnel.
- Assist districts in evaluating candidates.
- Research improved techniques for evaluating administrative talent.
- Provide training in assessment and selection procedures for hiring of school principals and other administrative staff.

Pilot Project for Administrative Personnel (continued)

o State Board shall attempt to achieve a balanced representation of urban, rural and suburban areas in establishing pilot projects.

o Funding for pilot projects to be included in annual state Budget Act commencing 1984-85.

Administrator Training and Evaluation

References: Sections 1275 and 44681, et seq. of the Education Code
See Sections 3 and 34 to 41, inclusive, of Chapter 498/83
Section 41301.3(c)(20) of the Education Code
See Section 18.5 of Chapter 498/83

o Revision of statutory authorization for former California Leadership Institute. (Never funded)

o Districts, county offices, or consortia may apply for grant funding, available in 1984-85, to recruit and develop administrative skills of district and county personnel and criteria for evaluation of administrators.

o The Department of Education may provide technical assistance to applicant agencies.

Senior Management

References: Sections 45100.5, 45104.5, 45108.5, 45108.7 and 45256.5 of the Education Code
See Sections 70 to 74, inclusive, of Chapter 498/83

o District governing boards allowed to designate certain positions as senior management of the classified service.

o The decision to establish senior management not subject to collective bargaining.

o Senior management exempted from permanent status, and subject to reassignment or dismissal with 45 days' notice.

o The number of senior management positions is limited to between 2 and 5, depending on size of district. Such limitation is subject to waiver by the State Board of Education.

o The decision to designate positions as senior management is subject to review by the Public Employment Relations Board.